

UNITED STATES DISTRICT COURT
For the
DISTRICT OF MASSACHUSETTS

| | | |
|----------------------|---|------------------|
| GEORGE MICHAEL DOWD, |) | |
| |) | Plaintiff, |
| vs. |) | Civil Action No. |
| |) | 04-11925 NG |
| JAMES DOWD, |) | |
| |) | Defendant. |
| |) | |

**MOTION OF COUNTERCLAIM PLAINTIFF TO DISMISS WITHOUT
PREJUDICE**

Counterclaim Plaintiff hereby moves, pursuant to Federal Rule of Civil Procedure 41(a)(2), to dismiss without prejudice any and all claims that were asserted by Counterclaim Plaintiff, James Dowd.

Where the Plaintiff's claim has been dismissed on Summary Judgment, the granting of the within motion will allow this case to proceed to final judgment.

Counterclaim Plaintiff
By his attorney,

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|----------------------------------|
| /S/ Nelson P. Lovins, BBO#306020 |
| Lovins & Metcalf |
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| Woburn, MA 01801 |
| (781) 938-8800 |